

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 07-CR-303

BRITTANY K. DURRANT,

Defendant.

ORDER DENYING MOTION FOR ADJOURNMENT

Counsel for the above defendant has written a letter requesting that the sentencing in his client's case be postponed to November 13, 2008, so that it follows the sentencing of a co-defendant. Counsel states that he wants to know what the co-defendant's sentence will be because he intends to argue that his client's conduct was of a similar nature and, thus, his client's punishment should be proportional to that co-defendant's.

The problem with counsel's argument is that the same is true of all co-defendants. Every defendant compares his or her conduct to that of another defendant and seeks to use the prior sentence as a benchmark that should govern the determination of their own sentence. I decline to adjourn sentences or reschedule them simply so that counsel can argue from a previous sentence what the sentence in his case should be. To the extent that the request for rescheduling is based merely upon the fact that counsel wants to know a co-defendant's sentence, it is denied.

Counsel also argues, however, that his client has a personal reason related to her child's school for seeking an adjournment of the sentencing date. The vague reference to some sort of

commitment at school is too indefinite and uncertain for the court to determine whether or not it merits an adjournment. Accordingly, the relief requested will be denied as to this reason also. In the event counsel wishes to provide more specifics as to why his client made a commitment with her child's school that happens to fall on the date of her sentencing, the court can reconsider the ruling. For now, however, the motion is denied.

SO ORDERED this 20th day of October, 2008.

s/ William C. Griesbach

William C. Griesbach
United States District Judge